

REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
October 20, 2005
7:05 p.m.

PRESENT:	Lou Ann Christensen	Mayor
	Jon Adams	Councilmember
	Holly Bell	Councilmember
	Alden Farr	Councilmember
	Reese Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Ben Boyce	Director of Parks and Recreation
	Mary Kate Christensen	City Recorder
	Paul Larsen	Director of Economic Development
	Dennis Sheffield	Director of Finance
	Don Tingey	City Administrator
	Paul Tittensor	Chief of Police
	Todd Whitaker	Police Lieutenant

Mayor Christensen called the meeting to order. The Reverence Period was given by Dennis Sheffield. The scouts in the audience led the Pledge of Allegiance. A motion to approve the minutes of September 29, 2005 Council and Executive Session; October 5, 2005 Work Session was made by Councilmember Adams. The motion was seconded and carried. Mayor Christensen presented the agenda as follows:

PUBLIC COMMENT
PRESENTATIONS

Jim Davis Extraordinary Public Service Award
ACE National K-9 Excellence Award and Announcement of Bear's Retirement

CONSENT

Appointment to Advisory Council on Aging
Re-appointment to Planning Commission Board
Appointments and Re-Appointments to Golf Course Commission and Approval of Chair
Appointment to Recreation Commission
Request Approval of Poll Workers, Approval of Payment to Poll Workers and Approval of Polling Place

OTHER BUSINESS

Legislative Update (*added*)

CLAIMS

Cash Disbursements

The Mayor added the item under Other Business. Councilmember Marabella made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

PUBLIC COMMENT

Mr. Tingey read the following e-mail from Ron Frandsen. "I am writing to request a modification to a City ordinance which prohibits the use of any remote controlled (RC) model aircraft within the City limits. I believe the evolution of technology relating to RC aircraft warrants a new look at this prohibition. Since this ordinance was enacted a new class of RC airplane (Park Flyers) has evolved. These are smaller than the gas powered versions, ranging in wing span from as little as 9 inches to as much as 40 inches. Park Flyers are specifically designed for small areas and are appealing to novice and experienced pilots. The Park Flyers are driven by a battery powered electric engine. As a result the speed and noise levels are considerably less than gas powered RC airplanes. The present ordinance seems to be overly broad in its prohibition, given the new class of RC airplane. I would be grateful if the Council would consider revising the ordinance to allow flights of RC aircraft with electric motors inside the City limits, particularly if the area is reasonably large and relatively unoccupied. I would be happy to work with your staff to craft an ordinance that would meet safety and annoyance concerns while still allowing hobbyists access to open airspace within the City. Thank you for your consideration."

Mayor Christensen said Mr. Tingey has been working with the attorney on the possible changes to the City Ordinance. He will bring an ordinance to the Council at the next Council Meeting.

PRESENTATIONS

Jim Davis Extraordinary Public Service Award

Mayor Christensen announced the winner of the Jim Davis Extraordinary Public Service Award is Kris Powers. She was nominated through the Chamber of Commerce. Ms. Powers served on the Brigham City Area Chamber of Commerce Board for seven years, and most recently as the Chairperson. During these years, she organized the Summer Concert Series, BooFest, Christmas Promotion, Annual Banquet, Summer Social, and brought Santa to town. She also served on other various committees, such as decorating the Brigham City float, the Sign Committee, and the Events Committee. In 2000, Ms. Powers was received the Board Member of the Year Award. During her year as Chairperson, she organized and executed the 100th Peach Days Celebration. There were over 800,000 people in Brigham City to attend this celebration. She spent over 40 hours volunteering during the three days of Peach Days this year alone. She ensured the success of the 100th celebration by months of preparation and organization. She has volunteered for many years with Peach Days, and her family has volunteered along with her. She has checked in booths, walked in the Junior Parade, and been there in the early hours on Sunday morning when the rest of the City is asleep. While serving on the Executive Committee, Ms. Powers was instrumental in helping the Chamber through one of its most difficult times. She demonstrated leadership and friendship to all the volunteers. She is truly an inspirational woman that everyone can look up to.

Ms. Powers thanked her husband, family and friends for their support. She said, "you are only as good as the volunteers around you."

ACE National K-9 Excellence Award and Announcement of Bear's Retirement

Lt. Whitaker came forward and announced that Bear, the City's K-9 dog, will be retiring. Bear started with the City in 1998. He was first assigned to patrol and then later helped with SWAT. He has assisted law enforcement in Idaho, Cache, Rich, Weber, Salt Lake, Morgan Counties and the Utah State Prison. Bear was the first K-9 assigned to the Brigham City SWAT Team in 2000. He was involved in the largest drug bust in Box Elder County, and has been instrumental in confiscating over \$100,000 in drugs. Bear received a Life Saving Award. He has been deployed over 600 times in his career. He has over 215 adult arrests, and 200 juvenile arrests. His retirement will leave a big void for the citizens of Brigham City and Box Elder County.

Ms. Jean Loveland, Bear's handler, came forward and explained that in June 2005, Deputy Wiggins from the Sheriff's Office, nominated Bear for the K-9 Excellence Award. This is a national award. Bear received second place in the nation.

CONSENT

Appointment to Advisory Council on Aging

It was recommended George Jorgensen serve as a member of the Advisory Council on Aging.

Re-Appointment to Planning Commission Board

It was recommended Barbara Poelman be appointed to serve on the Planning Commission.

Appointments and Re-Appointments to Golf Course Commission and Approval of Chair

It was recommended Doug Wight, Judy Nielsen and Richard Kimber be re-appointed to the Golf Course Commission. It was also recommended Jenny DeFriez be appointed to the same board. Blake Broadhead was recommended to serve as the Chair.

Appointment to Recreation Commission

Marian Braithwaite was recommended to serve on the Recreation Commission.

Request Approval of Poll Workers, Approval of Payment to Poll Workers and Approval of Polling Place

It was requested that the poll workers for the upcoming November election be approved, and the Community Council be approved as the polling place for all districts. It was also requested the poll workers receive \$30 for attending training and \$85 for election day.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Adams, seconded by Councilmember Farr and unanimously carried.

OTHER BUSINESS

Legislative Update

Mayor Christensen said she and Mr. Tingey attended the League of Cities and Towns and there are some major concerns with the legislature. Mr. Tingey stated that Representative Wayne Harper spoke to the League and explained some of the things that will be coming before the legislature. There is talk of eliminating the 1% local sales tax option. This would be \$2.2 million, or 24%, of Brigham City's budget. They are proposing that it be substituted with a property tax increase. The sales tax would be given to the school districts, and substitute the school levy. They feel it can be a neutral change by giving the school districts the sales tax and the cities the property tax. The League sees many, many problems with this. The biggest concern is the inflationary impact sales tax has versus property tax, as well as the difficulty of raising property taxes. Another concern is that there is a lot of incentives in cities trying to increase sales tax in their municipality. Mayor Christensen said it takes away cities' incentive to have businesses. Councilmember Marabella added that this would really hurt cities like Riverdale that are mostly commercial.

Mayor Christensen said the Mayors Association is meeting with Representatives Ferry and Menlove and Senator Knudson on November 30. She invited the Council to attend.

Mayor Christensen said the legislature is also looking at changing the publication notice requirements for the certified tax rate. It would no longer be required to state the percentage of the increase, only the dollar amount of the actual municipal portion of the property tax.

Mr. Tingey said another thing they are looking at is getting rid of LUDMA and looking at a whole new land use concept known as the Houston Model. This would leave all land use decisions to the private property owners.

CLAIMS

Payment Register and Cash Disbursements

Councilmember Jensen moved to approve the Payments Registers for October 4, 2005 in the amount of \$64,967.50; for October 11, \$668,445.78, and cash disbursements dated October 6, 2005 for \$306,627.01. The motion was seconded and carried.

A motion to adjourn was made by Councilmember Marabella. The motion was seconded and carried unanimously. The meeting adjourned at 7:40 p.m.